

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY EMPLOYMENT AND TRAINING

[R06-345]

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 2, Department of Economic Security – Employment and Training
Article and its heading: 1, General Provisions
2, Employment Services Provided by the Department
4, Other Employment Services and Programs
Section numbers: All sections contained in the above mentioned articles. Other sections to be added as necessary.
- 2. The subject matter of the proposed rule:**
This rulemaking is in response to a five-year review report approved by the Governor's Regulatory Review Council on February 1, 2005.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Beth Broeker
Address: Department of Economic Security
1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: bbroeker@azdes.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted during business hours by the person named in item #4, until further notice is provided. The Department has not scheduled oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES

[R06-344]

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security – Developmental Disabilities
Article and its heading: 1, General Provisions
3, Eligibility for Developmental Disabilities Services
4, Application
5, Admission/Redetermination/ Termination
6, Program Services
8, Programmatic Standards and Contract Monitoring for Community Residential Settings
9, Managing Inappropriate Behaviors
10, Child Developmental Foster Home License
11, Adult Developmental Home License
12, Cost of Care Portion
13, Coordination of Benefits; Third-Party Payments
14, Guardianship and Conservatorship
15, Standards for Certification of Home and Community-Based Service (HCBS) Providers
16, Abuse and Neglect
18, Administrative Review
20, Contracts
21, Division Procurement and Rate Setting – Qualified Vendors
22, Appeals and Hearings
Section numbers: All sections contained in these articles. Other sections to be added as necessary.
2. **The subject matter of the proposed rule:**
This rulemaking is in response to a five-year review report approved by the Governor's Regulatory Review Council on February 1, 2000.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Beth Broeker
Address: Department of Economic Security
1789 W. Jefferson, Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: bbroeker@azdes.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted during business hours by the person named in item #4, until further notice is provided. The Department has not scheduled oral proceedings at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY
STATE ASSISTANCE PROGRAMS

[R06-346]

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 13, Department of Economic Security – State Assistance Programs
Article and its heading: 1, Reserved
2, Application and Continued Eligibility
3, Methods of Eligibility Determination and Budget Procedures
6, Supplemental Payments Program
9, Tuberculosis Control
12, Other Procedures and Services
Section numbers: All sections in the listed articles. Sections may be added or deleted as necessary.
2. **The subject matter of the proposed rule:**
This rulemaking was initiated in response to the Department's five-year review report approved by Council on February 1, 2005.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Beth Broeker
Address: P.O. Box 6123
Phoenix, AZ 85005
or
1789 W. Jefferson, Site Code 837
Phoenix, AZ 85007
Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: bbroeker@azdes.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
A person may submit written and oral comments during business hours to the person named in item #4 until the close of record, which is not currently scheduled. No oral proceedings are scheduled at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Not yet known

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING

[R06-338]

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services – Health Care Institutions: Licensing
Article and its heading: 11, Home Health Agencies
Section numbers: R9-10-1101 through R9-10-1109 (The Department may add, delete, or modify Sections as necessary.)
2. **The subject matter of the proposed rule:**
This Notice of Rulemaking Docket Opening is being published to replace the notice expiring September 23, 2006. This rulemaking is to update the licensing requirements for home health agencies. A.R.S. §§ 36-405 and 36-406 require the Arizona Department of Health Services (Department) to adopt rules to establish minimum standards and requirements for the construction, modification, and licensure of health care institutions necessary to ensure public health, safety, and welfare. *Arizona Administrative Code* Title 9, Chapter 10, Article 11, implements these statutes for home health agencies by providing definitions and licensing requirements for home health agencies to follow. Changes will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.

Notices of Rulemaking Docket Opening

The agency docket number, if applicable:

RE-025-06

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 11 A.A.R. 3581, September 23, 2005

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Kathy McCanna
Program Manager, Office of Medical Facilities Licensing

Address: Arizona Department of Health Services
Division of Licensing Services
Office of Medical Facilities Licensing
150 N. 18th Ave., Suite 450
Phoenix, AZ 85007

Telephone: (602) 364-2841

Fax: (602) 364-4764

E-mail: mccannk@azdhs.gov
or

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Suite 202
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF TRANSPORTATION
ADMINISTRATION**

[R06-339]

1. Title and its heading:

17, Transportation

Chapter and its heading:

1, Department of Transportation – Administration

Article and its heading:

2, Fees

Section numbers:

R17-1-202

2. The subject matter of the proposed rule:

The Division engages in this rulemaking to amend the existing rules to clarify the types of motor vehicle records provided by the Division and to update related citations. Changes are also made to ensure conformity to Arizona Administrative Procedures Act, Secretary of State, and Governor's Regulatory Review Council rulemaking format and style requirements.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Celeste M. Cook, Administrative Rules Unit

Address: Department of Transportation, Motor Vehicle Division
1801 W. Jefferson St., Mail Drop 530M
Phoenix, AZ 85007

Telephone: (602) 712-7624

Notices of Rulemaking Docket Opening

Fax: (602) 712-3081

E-mail: ccook@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at <http://mvd.azdot.gov/mvd/MVDRules/rules.asp>.

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Oral, written, or faxed comments may be made to the agency official listed in item #4, Monday through Friday, 8:00 a.m. to 4:30 p.m., except state holidays.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION

TITLE, REGISTRATION, AND DRIVER LICENSES

[R06-340]

1. Title and its heading:

17, Transportation

Chapter and its heading:

4, Department of Transportation – Title, Registration, and Driver Licenses

Article and its heading:

4, Driver Licenses

Section numbers:

R17-4-411

2. The subject matter of the proposed rule:

A.R.S. 28-3312(J) authorizes the Arizona Department of Transportation, Motor Vehicle Division, to adopt rules to establish guidelines and conditions under which the Division may reduce a lifetime disqualification. The Division proposes to promulgate rules to prescribe requirements for reinstatement after a lifetime Commercial Driver License Disqualification.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Celeste M. Cook, Administrative Rules Unit

Address: Department of Transportation, Motor Vehicle Division
1801 W. Jefferson St., Mail Drop 530M
Phoenix, AZ 85007

Telephone: (602) 712-7624

Fax: (602) 712-3081

E-mail: ccook@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at <http://mvd.azdot.gov/mvd/MVDRules/rules.asp>.

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Oral, written, or faxed comments may be made to the agency official listed in item #4, Monday through Friday, 8:00 a.m. to 4:30 p.m., except state holidays.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION
TITLE, REGISTRATION, AND DRIVER LICENSES

[R06-342]

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation – Title, Registration, and Driver Licenses
Article and its heading: 8, Motor Vehicle Records
Section numbers: R17-4-801, R17-4-802
2. **The subject matter of the proposed rule:**
The Arizona Department of Transportation, Motor Vehicle Division, proposes to promulgate rules to prescribe requirements for Motor Vehicle Record requests.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Celeste M. Cook, Administrative Rules Unit
Address: Department of Transportation, Motor Vehicle Division
1801 W. Jefferson St., Mail Drop 530M
Phoenix, AZ 85007
Telephone: (602) 712-7624
Fax: (602) 712-3081
E-mail: ccook@azdot.gov
Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at <http://mvd.azdot.gov/mvd/MVDRules/rules.asp>.
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Oral, written, or faxed comments may be made to the agency official listed in item #4, Monday through Friday, 8:00 a.m. to 4:30 p.m., except state holidays.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY
UNDERGROUND STORAGE TANKS

[R06-343]

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 12, Department of Environmental Quality – Underground Storage Tanks
Article and its heading: 1, Definitions; Applicability
2, Technical Requirements
9, Regulated Substance Fund
Section numbers: R18-12-101, R18-12-263.04, R18-12-263.05, R18-12-901. (As part of this rulemaking, Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) is considering rules: 1) for issuance of no further action (NFA) letters for leaking underground storage tank (LUST) sites once the source has been removed and a corrective action plan or state assurance fund work plan has been approved that includes monitored natural attenuation (MNA); 2) allowing ADEQ to close certain groundwater LUST cases where there is an exceedance of the aquifer water quality standards, and 3) to implement the MNA account to be used by ADEQ to continue to monitor LUST sites that have been issued an NFA letter and to perform additional corrective actions if necessary.
3. **A citation to all published notices relating to the proceeding:**
None

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4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Philip McNeely
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-7645
Fax: (602) 771-4900
E-mail: mcneely.philip@azdeq.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Rulemaking

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

[R06-341]

1. Title and its heading:

20, Commerce, Financial Institutions, and Insurance

Chapter and its heading:

5, Industrial Commission of Arizona

Article and its heading:

6, Occupational Safety and Health

Section numbers:

R20-5-601
R20-5-602

2. The subject matter of the proposed rule:

In order to conform to the Federal Occupational Safety and Health Standards as required by Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requiring state-administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the U.S. Department of Labor, The Industrial Commission is amending R20-5-601 and R20-5-602 by adopting amendments to Subpart D, Occupational Health and Environmental Controls, Subpart Z, Toxic and Hazardous Substances of § 1926, and Subpart I, Personal Protective Equipment, Subpart Z, Toxic and Hazardous Substances of § 1910, as published in 71 FR 50122 - 50192, August 24, 2006. Copies of the incorporated by reference material are available for inspection or reproduction at the Arizona Division of Occupational Safety and Health, 800 W. Washington St., Room 203, Phoenix, AZ 85007, and can be downloaded from the Federal OSHA web site www.osha.gov

3. A citation to all published notices relating to the proceeding:

None published

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: William M. Wright, Assistant Director
Address: Division of Occupational Safety and Health
Industrial Commission of Arizona
800 W. Washington St., Suite 203
Phoenix, AZ 85007
Telephone: (602) 542-1695
Fax: (602) 542-1614
E-mail: wright.william.m@dol.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be published in Notice of Proposed Rulemaking

6. A timetable for agency decisions or other action on the proceeding, if known:

Not yet known